

REMARKS

Claims 1-36 are pending in the application, with claims 7-33 being withdrawn. Claims 1-6, 34, and 35 are rejected. It is noted that the Summary Sheet of the outstanding Office Action erroneously lists the status of claims 1-6, 34, and 35 as being withdrawn.

By way of this amendment, claims 1, 34, and 35 are amended. No new matter is being introduced by way of this response, and each of the amendments finds support in the specification, for example, on page 8, line 24 – page 9, line 11; page 14 lines 14 -21; page 15, line 23 – page 16, line 11 and Fig. 11; page 17, lines 17-18; page 7, lines 10-22; page 18, line 16 – page 19, line 16; page 19, lines 3-16.

Rejections under 35 U.S.C. §101

The applicants amend claim 35 to recite a tangible, non-transitory computer-readable medium having instructions stored thereon. The applicants respectfully submit that amended claim 35 is directed to statutory subject matter and request that the rejection of claim 35 under 35 U.S.C. §101 be withdrawn.

Rejections under 35 U.S.C. §112

According to the Office Action, the specification does not support the language “formatting payment history data file according to a format associated with the credit exchange system.” The applicants respectfully disagree.

Blocks 52 and 54 in Fig. 4, for example, indicate that data may be received in a proprietary format of a member or in the format of the credit exchange system (identified in Fig. 4 by the company name, *PayNet*). Additional support for this language can be found, for example, on page 8, line 24 – page 9, line 11 and. Thus, at least some members may use corresponding proprietary formats; however, records including payment history data in such formats are included in a payment history data *file* that is formatted according to a format of the credit exchange system. In this regard, the applicants respectfully refer the Examiner to Fig. 11, for example. Fig. 11 illustrates an example format of a payment history data file that the credit exchange system may use, and the specification discusses the use of this format on pages 14 – 16. In view of the above, it is respectfully requested that the rejection under 35 U.S.C. §112 be withdrawn.

Rejections under 35 U.S.C. §103

Amended claim 1 recites a method for automatically obtaining and exchanging credit information that includes, *inter alia*, in response to a user command, obtaining payment history data from the member's accounting system using an installed computer program, including obtaining at least some of the payment history data in a proprietary format of the accounting system of the member, wherein the payment history data is associated with a plurality customers and is indicative of a quality of credit associated with the respective customers. Further, claim 1 is amended to recite creating a payment history file that contains at least (i) the payment history data as a plurality of records, each of the plurality of records including a loan or a lease payment information for one of the plurality customers, (ii) an identifier of the member, and (iii) control records for validating the payment history file. Still further, amended claim 1 now recites validating the payment history data in accordance with the control records included in the payment history file, including matching business information of each of the plurality of customers with information in a centralized data repository, wherein the business information includes at least one of customer name, customer address, phone number, and number of employees associated with the customer, and comparing the obtained history data to a data record associated with each customer if the data record associated with the corresponding customer is present in the centralized data repository, including testing for at least one of a large time difference between records and presence of payments outside a maximum expected range. Still further, claim 1 is amended to recite that providing the payment history report to a requestor includes not disclosing an identity of the member that provided the payment data included in the payment history report and generating a search fee for the requestor. The cited art does not disclose or suggest the above-listed features, and thus fails to anticipate claim 1 or render claim 1 obvious.

As amended, claim 34 recites a method for automatically obtaining and exchanging credit information that includes validating customer credit and business information by comparing the obtained customer credit and business information to the customer data associated with the first customer, including comparing the business information to the customer data, wherein the business information includes at least one of customer name, customer address, phone number, and number of employees associated with the customer, and comparing the customer credit information to the customer data, including testing for at least one of a large time difference between records and presence of

payments outside a maximum expected range. The cited art does not disclose or suggest these features of claim 34, and thus fails to anticipate claim 34 or render claim 34 obvious.

Regarding claim 35, this claim now recites a tangible, non-transitory computer-readable medium having instructions stored thereon for execution by a processor, where the instructions perform a method comprising, *inter alia*, generating a plurality of records associated with a plurality of customers, each of the plurality of records including payment history data indicative of a quality of credit of a respective one of a plurality of customers, wherein each of the plurality of records conforms to a proprietary format of the accounting system of the member. Claim 35 is further amended to recite formatting the payment history data file according to a format associated with the credit exchange system; wherein the payment history contains at least (i) the plurality of records, each of the plurality of records including a loan or a lease payment information for one of the plurality customers, (ii) an identifier of the member, and (iii) control records for validating the payment history file. The cited art does not disclose or suggest these features of claim 35, and thus fails to anticipate claim 35 or render claim 35 obvious.

Reconsideration and allowance of claims 1-6, 34, and 35 are respectfully requested in view of the claim amendments and the following remarks.

The Examiner cites two new references, U.S. Patent No. 5,708,828 to Coleman ("Coleman") and a December 9, 1997 article regarding Inso Corporation ("Inso"). The Examiner also continues to rely on US Patent Application Publication 2001/0011245 to Duhon ("Duhon"). Regarding Coleman, this reference merely describes data conversion techniques, nor does the Examiner appear to rely on Coleman for any other purpose. With respect to Inso, the Examiner only alleges that this reference discloses "formatting a proprietary format into a pre-determined format." This reference describes the use of XML for managing content.

The applicants respectfully note that regardless of whether the newly cited art discloses data conversion techniques or formatting a proprietary format into a pre-determined format, none of the cited art discloses, for example, obtaining payment history data from a member's accounting system using an installed computer program, including obtaining at least some of the payment history data in a proprietary format of the accounting system of the member, creating a payment history file that contains at least (i) the payment history data as a plurality of records, each of the plurality of records including a loan or a

lease payment information for one of the plurality customers, (ii) an identifier of the member, and (iii) control records for validating the payment history file, and also automatically formatting the payment history file into a predetermined format, as recited in claim 1. According to claim 1, payment history data may be in a proprietary format, but the payment history *file* that includes such data (e.g., in the form of records, sub-files, etc.) is in a format common to all members. As discussed above, an example of such format is discussed in the specification with reference to Fig. 11. Thus, claim 1 (as well as claims 2-6 dependent therefrom) is believed to be allowable over the cited art.

Further, neither Duhon nor the newly cited references disclose that validating customer credit and business information includes at least two steps, as recited in claim 34: (1) comparing the business information to the customer data, wherein the business information includes at least one of customer name, customer address, phone number, and number of employees associated with the customer and (2) comparing the customer credit information to the customer data, including testing for at least one of a large time difference between records and presence of payments outside a maximum expected range. As discussed in the specification, each of these validation steps potentially determines different types of problems. Thus, claim 34 is also believed to be allowable over the cited art.

For reasons similar to those discussed with reference to claim 1, the cited art also fails to disclose or suggest generating a plurality of records associated with a plurality of customers, each of the plurality of records including payment history data indicative of a quality of credit of a respective one of a plurality of customers; such that each of the plurality of records conforms to a *proprietary* format of the accounting system of the member, and formatting the payment history data file according to a format associated with a *credit exchange system*, where the payment history contains at least (i) the plurality of records, each of the plurality of records including a loan or a lease payment information for one of the plurality customers, (ii) an identifier of the member, and (iii) control records for validating the payment history file, as recited in amended claim 35. Thus, claim 35 is also believed to be allowable over the cited art.

Conclusion

For the foregoing reasons, the applicants respectfully request reconsideration and allowance of claims 1-6 and 34-35. If there are matters that can be discussed by

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telephone to further the prosecution of this application, the applicants respectfully request that the examiner call the undersigned at the number listed below.

Although the applicants believe that no additional fees or petitions are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 13-2855 of Marshall, Gerstein & Borun, LLP under Order No. 29804/36569A.

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Respectfully submitted,

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